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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,894	11/18/2003	Mats Petter Pettersson	3782-0277P	2817

2292 7590 12/18/2006  
BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747

EXAMINER
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FRANKLIN, JAMARA ALZAIDA

ART UNIT	PAPER NUMBER
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2876

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
2 MONTHS	12/18/2006	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/714,894

Applicant(s)

PETTERSSON ET AL.

Examiner

Jamara A. Franklin

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 23-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1 and 23-44 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

Acknowledgment is made of the amendment filed on 10/16/06. Claims 1 and 23-44 are currently pending.

1. The terminal disclaimer filed on 10/16/06 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of Patent No. 6,663,008 has been reviewed and is accepted. The terminal disclaimer has been recorded.

2. This application is in condition for allowance except for the following formal matters:

#### *Specification*

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. **The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided.** The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Although the abstract has been amended, the abstract is still improper since line 3 of the abstract contains "said", a form of legal phraseology.

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*Claim Objections*

4. Claims 1, 29, 31, 33, 34, 37-39, 43, and 44 are objected to because of the following informalities:

in claim 1, line 2, substitute “it” with whatever element or component to which “it” refers;

in claim 1, line 3, substitute “hand writing” with --handwriting--;

in claim 1, line 8, substitute “its nominal position” with --the nominal position of the mark--;

in claim 29, line 2, delete “their” and substitute “position” with --positions of the marks--;

in claim 31, line 2, substitute “but may be” with --and are--;

in claim 33, line 2, substitute “its nominal position” with --the nominal position of the mark--;

in claim 34, line 10 delete “their” and insert --of the marks-- between “positions” and “.”;

in claim 37, line 3, substitute “its” nominal position” with --the nominal position of the mark--;

in claim 38, line 3, substitute “its nominal position” with --the nominal position of the mark--;

in claim 39, line 9, delete “their” and insert --of the marks-- between “positions” and “.”;

in claim 43, line 3, substitute “its nominal position” with --the nominal position of the mark--; and

in claim 44, lines 2-3, substitute “its nominal position” with --the nominal position of the mark--.

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Any usage of the words “it” or “their” in the claims which may have been inadvertently overlooked by the examiner are requested to be changed to directly and distinctly describe the element or component to which “it” or “their” refers.

Appropriate correction or clarification is required.

***Allowable Subject Matter***

5. Claims 1 and 23-44 are allowable over prior art.

6. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record fails to teach or fairly suggest either alone or in combination thereof,

regarding claim 1, a product having a surface with a position coding pattern, the position coding pattern coding positions on the surface so that it is suitable for electronic recording of handwriting, the position coding pattern comprising a plurality of marks, each of which represents one of at least two different values;

regarding claim 34, a method of electronically recording handwriting comprising:  
capturing a sequence of images of a position-coding pattern on a surface while handwriting is created on the surface, each image including a subset of the position-coding pattern and each subset including an array of marks coding a position on the surface,

determining a plurality of nominal positions in each of the images; and  
determining locations of the marks in relation to the nominal positions in each of the images; and

regarding claim 39, a device for electronically recording handwriting, comprising:

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a sensor for capturing a sequence of images of a position-coded pattern on a surface while the sensor is moved over the surface, each image including a subset of the position-coding pattern including an array of marks, and

a processor, which is configured to determine a plurality of nominal positions in each of the images, to determine locations of the marks in relation to the nominal positions in each of the images, and to determine a position coded by the array of marks in each image based on the locations of at least some of the marks in relation to the respective nominal positions of the marks.

### ***Conclusion***

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.


A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamara A. Franklin whose telephone number is (571) 272-2389. The examiner can normally be reached on Monday through Friday 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

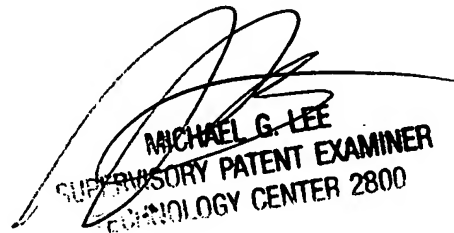
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Janara A. Franklin  
Examiner  
Art Unit: 2876

JAF  
December 05, 2006



MICHAEL G. LEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800